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EX PARTE OR LATE FILED

November 13, 1996

EX PARTE

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

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Federal Communications Commission  
Office of Secretary

RE: Adoption of the Commission's New Radiofrequency Emissions  
Guidelines (ET Docket 93-62)

Dear Mr. Caton:

On Wednesday, November 13, 1996, I, on behalf of AirTouch Communications, met with Rudy Baca, Legal Advisor to Commissioner Quello, to discuss the above referenced proceedings. Please associate with the above-referenced proceeding.

Two copies of this notice were submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me at 202-293-4960 should you have any questions or require additional information concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Abernathy", is written over a circular stamp that is partially obscured by the signature.

Kathleen Q. Abernathy

Attachment

cc: Rudy Baca

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# **AIRTOUCH COMMUNICATIONS, INC.**

## **Adoption of the Commission's New Radiofrequency Emissions Guidelines**

**(ET Docket 93-62)**

Kathleen Q. Abernathy  
Donna L. Bethea  
November 12, 1996

## **BACKGROUND**

- The Commission adopted new RF Guidelines in ET Docket No. 93-62, *In the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation*, on August 1, 1996.
- Under these new guidelines a licensee is responsible for bringing emissions from multiple transmitter areas (i.e. rooftops) into compliance if its transmitters produce field strengths or power density levels in excess of 1% of the exposure limits applicable to such transmitters.
- These new RF Guidelines will apply to applications for transmitter facilities filed on or after January 1, 1997.
- OST- Bulletin 65, which will set forth specific RF compliance guidelines, has not yet been released.

## **Considerations Related to Implementation of the RF Guidelines**

- Currently, there is confusion regarding the immediate application of the Commission's rules to multiple transmitters sites.

### **Questions Include:**

- What is the difference between filing an Environmental Assessment ("EA") and an Environmental Evaluation. When should each of these be filed.
  - Logistically, who has the responsibility for filing at the FCC in a multiple antenna site and for bringing that site into compliance.
  - What is the effect of being categorically excluded on a multiple antenna site.
  - Should cylindrical modeling or power averaging be used in measuring sites.
- OET's OST Bulletin 65 is expected to clarify these issues.

## **Implementation of the new rules can *not* be accomplished by the January 1, 1997 deadline**

AirTouch Paging, for example, has over 2,000 multiple antenna transmitter sites.

- 800 of these sites are on buildings and 500 are on mountain tops
- It is estimated that it will take 4.16 million man hours to check all of the sites
- Task is made more difficult by fact that some areas are hard to access during the winter months
- In addition, responsibilities at the landlord level or between licensees have not been determined (licensees may not even know who else is on the site)
- Until the OET Bulletin is released compliance procedures cannot be implemented and technicians cannot be trained.

## **CONCLUSION**

Implementation of these rules can not be accomplished by the January 1, 1997 deadline. Therefore, the new RF guidelines compliance date should be changed to on or after *one year* from the release of OST-Bulletin 65.